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Emer. \_\_\_\_\_  
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Filed: 03-06-12

Sponsored by: Burlison

First Reading: March 12, 2012

Second Reading: March 26, 2012

COUNCIL BILL NO. 2012-076

GENERAL ORDINANCE NO. 5986

AN ORDINANCE

AMENDING Chapter 36, Article III of the Springfield City Code, known as the Land Development Code, by repealing Sub-Article IX, Mechanical Code, in its entirety, and enacting in lieu thereof a new Sub-Article IX, Mechanical Code.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI, as follows, that:

Section 1 – General Ordinance No. 5629 is hereby repealed. All other general ordinances designated as Chapter 36, Article III, Sub-Article IX, Mechanical Code, and any amendments thereto are hereby repealed.

Section 2 – Adoption of 2012 International Mechanical Code. The City Council hereby adopts The 2012 International Mechanical Code as published by the International Code Council and all referenced standards therein as if spelled out in this ordinance, save and except such portions thereof as are hereinafter deleted, modified or amended. This Code shall be designated as Sub-Article IX, Mechanical Code, of Chapter 36, Article III of the Springfield City Code, known as the Land Development Code. One (1) copy of said Code is on file in the office of the City Clerk, Busch Municipal Building, 840 Boonville Avenue, Springfield, Missouri.

Section 3 – Deletions, modifications, amendments and additions.

The 2012 International Mechanical Code, as adopted, is hereby amended and changed as follows:

A. Repeal Chapter 1 in its entirety. Requirements of this chapter are included in Chapter 36, Article III of the Springfield City Code, known as the Land Development Code, Sub-Article XII.

- 32 B. Amend all chapters that make reference to any section contained in the repealed  
33 Chapter 1 by directing all references to Sub-Article XII of the Land Development  
34 Code and to those sections in Sub-Article XII that correspond in numbering or  
35 content to be the referenced section.  
36  
37 C. Amend all adopted chapters and appendices in accordance with all errata hereafter  
38 identified and published by the International Code Council after the date of the first  
39 printing of the 2012 International Mechanical Code.  
40  
41 D. Repeal all language referencing flood hazard areas in various sections and replace  
42 with the following:  
43

44 **All structures located within a designated flood hazard area shall comply**  
45 **with General Ordinance No. 5907, dated November 1, 2010.**  
46

47 Note: Language appearing in **bold** is to be added.  
48

- 49 E. Amend Section 307, Condensate disposal, subsection 307.2.1, Condensate  
50 disposal, to read as follows:  
51

52 307.2.1 Condensate disposal. Condensate from all cooling coils and evaporators  
53 shall be conveyed from the drain pan outlet to an approved place of disposal.  
54 Such piping shall maintain a minimum horizontal slope in the direction of  
55 discharge of not less than one-eighth unit vertical in 12 units horizontal (1-  
56 percent slope). Condensate shall not discharge into a street, alley, **crawl space**  
57 or other areas so as to cause a nuisance.  
58

59 Note: Language appearing in **bold** is to be added.  
60

- 61 F. Amend Section 502, Required systems, subsection 502.14, Motor vehicle operation,  
62 by adding the following exception:  
63

64 **Exception: If it can be shown, subject to the approval of the authority**  
65 **having jurisdiction, that the area of motor vehicle operation in an existing**  
66 **building was previously used as a motor vehicle operation area, a properly**  
67 **listed and labeled exhaust hose not greater than eight (8) feet in length may**  
68 **be used, provided it is connected to the vehicle while in operation and**  
69 **securely attached to a permanent opening through the exterior surface of**  
70 **the building.**  
71

72 Note: Language appearing in **bold** is to be added.  
73

- 74 G. Amend Section 507, Commercial kitchen hoods, subsection 507.2.3, Domestic  
75 cooking appliances used for commercial purposes, by adding the following  
76 exception:  
77

78 **Exception: A domestic cooking appliance found in a use group other than**  
79 **Use Group A2 and used for the purpose of only warming precooked foods**  
80 **(such as office break room, day care centers, churches, culinary**  
81 **classrooms in schools, colleges, and universities) shall be provided with a**  
82 **Type II hood or a domestic range hood. The hood shall be the same width**  
83 **as the appliance and shall be exhausted to the exterior of the building.**  
84

85 Note: Language appearing in **bold** is to be added.  
86

87 H. The following Appendix shall, by adoption of the 2012 International Mechanical  
88 Code, be considered as part of this Code.  
89

90 Appendix A, Combustion Air Openings and Chimney Connector Pass-throughs  
91

92 Section 4 – Savings Clause. Nothing in this ordinance shall be construed to  
93 affect any suit or proceeding now pending in any court or any rights acquired or liability  
94 incurred nor any cause or causes of action accrued or existing, under any act or  
95 ordinance repealed hereby, or shall any right or remedy of any character be lost,  
96 impaired, or affected by this ordinance.  
97

98 Section 5 – Severability Clause. If any section, subsection, sentence, clause, or  
99 phrase of this ordinance is for any reason held to be invalid, such decision shall not  
100 affect the validity of the remaining portions of this ordinance. The Council hereby  
101 declares that it would have adopted the ordinance and each section, subsection,  
102 sentence, clause, or phrase thereof, irrespective of the fact that any one or more  
103 sections, subsections, sentences, clauses, or phrases be declared invalid.  
104

105 Section 6 – Penalty Clause. Any person violating any of the provisions of this  
106 ordinance, or failing to comply with any order issued pursuant to any section thereof, or  
107 who shall erect, construct, alter or repair a building, structure or system in violation of an  
108 approved plan or directive of the Code Official or of a permit or certificate issued under  
109 the provisions of these Codes, shall be guilty of a violation of a municipal ordinance and  
110 upon conviction thereof shall be punished as provided for in Section 1-7 of the City  
111 Code, except that any fine imposed shall not be less than Two Hundred Dollars (\$200)  
112 for the first offense, Four Hundred Dollars (\$400) for the second offense, and Five  
113 Hundred Dollars (\$500) for every offense thereafter. Each day that a violation  
114 continues, after a service of notice provided for in these Codes, shall be deemed a  
115 separate offense. Notice as set forth in Section 36-1267 shall not be required in order  
116 to prosecute a person for a violation of any provision of this article or these Codes,  
117 except such notice shall be required to prosecute a person for failure to comply with an  
118 order.  
119

120 Section 7 – This ordinance shall be in full force and effect from and after  
121 May 1, 2012.  
122

124  
125 Passed at meeting: March 26, 2012  
126

127  
128 James E. O'Neal  
129 Mayor  
130

131  
132 Attest: Brenda M. Cuts, City Clerk  
133

134  
135 Filed as Ordinance: March 26, 2012  
136

137  
138 Approved as to form: Duke McDonald Assistant City Attorney  
139

140  
141 Approved for Council Action: Greg Burt City Manager  
142

143  
144 N:\SHARE\CBILLS - 2012\02-27-12\Mechanical Code - 2012Adoptive Ordinance100911.doc

Affected Agency Notified: \_\_\_\_\_  
Emergency Required: \_\_\_\_\_  
Budget Adjust. Required \_\_\_\_\_  
Board Rec. Required \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
Sponsor: \_\_\_\_\_  
Date: \_\_\_\_\_

## EXPLANATION TO COUNCIL BILL NO. 2012-076

### ORIGINATING DEPARTMENT: BUILDING DEVELOPMENT SERVICES

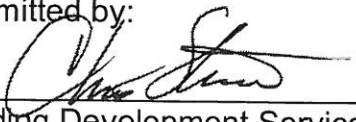
**PURPOSE:** To amend certain Sections of Chapter 36, Article III of the Springfield City Code known as the Land Development Code, to provide the City of Springfield with the most recent Mechanical Code.

**BACKGROUND AND REMARKS:** The current mechanical code enforced by the City is the 2006 International Mechanical Code. With the adoption of the 2012 International Mechanical Code, the City will be adopting the most up-to-date, nationally recognized mechanical code. The provisions contained within this ordinance do not unnecessarily increase construction costs; do not restrict the use of new materials, productions, or methods of construction; and do not give preferential treatment to particular types or classes of materials, products, or methods of construction.

The Building Development Services Department has met with representatives of the local design and construction industry over the course of the past nine months to discuss the ramifications of adopting this new code. Comments were requested from designers, electricians, plumbers, mechanical contractors, gas fitters, general contractors, developers, and others that may be affected by the adoption of this code. The language of this ordinance was placed on the City website for review by the members of the Home Builders Association, Springfield Contractors Association, Missouri Society of Professional Engineers, the local chapter of the American Institute of Architects, and the Development Issues Input Group. Discussions with the Development Issues Input Group resulted in a consensus to move forward with the adoption of this code, provided a mechanism is put in place to allow the staff of Building Development Services to consider alternative design standards and practices beyond those described in the 2012 International Mechanical Code.

This provision has been made as part of the compilation of the administrative chapters of the codes being adopted. The compilation is known as Article XII, Administrative and Enforcement of Codes, of the Land Development Code.

Submitted by:

  
Building Development Services

Approved by:

  
City Manager